

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>RONALD DAVIS,</b>	:	<b>Civil No. 3:17-CV-2273</b>
	:	
<b>Plaintiff,</b>	:	
	:	<b>(Judge Munley)</b>
<b>v.</b>	:	
	:	<b>(Magistrate Judge Carlson)</b>
<b>NANCY A. BERRYHILL,</b>	:	
<b>Acting Commissioner of Social</b>	:	
<b>Security,</b>	:	
	:	
<b>Defendant.</b>	:	

**MEMORANDUM ORDER**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

The plaintiff, Ronald Davis, commenced this action seeking judicial review of the final decision of the Acting Commissioner of Social Security (“Commissioner”) denying his claim for Social Security benefits. (Docs. 1 and 5.) While Davis commenced this action in this court, the complaint has not yet been served, and Davis has moved to have this case transferred to the United States District Court for the Middle District of Florida, the district where Davis now resides. (Doc. 6.) For the reasons set forth below, this motion and the related motion of plaintiff’s counsel to withdraw from this case, (Doc.8), are GRANTED.<sup>1</sup>

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<sup>1</sup> A motion to transfer venue is deemed a non-dispositive motion of the type which a magistrate judge may determine pursuant to 28 U.S.C. §636(b)(1)(A). See e.g.,

Title 42 of the United States Code, Section 405(g) provides that Social Security Appeals “shall be brought in the district court of the United States for the judicial district in which the plaintiff resides . . .” 42 U.S.C. § 405 (g). Here it is averred that Ronald Davis now resides within the venue of the United States District Court for the Middle District of Florida. Therefore, that district constitutes the proper venue for this action, and this case will be transferred to that court for further proceedings.

In light of this ruling, the motion of local counsel in this case to withdraw, (Doc. 8), is also GRANTED, but local counsel is ORDERED to provide the court with the current address for Mr. Davis so that address may be added to the docket of this case, thus providing the court in Florida with a means of communicating with the plaintiff about this lawsuit.

So ordered this 6<sup>th</sup> day of February, 2018.

*s/Martin C. Carlson*  
Martin C. Carlson  
United States Magistrate Judge

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Alessandra v. Colvin, No. 12CV397A, 2013 WL 4046295, at \*2 (W.D.N.Y. Aug. 8, 2013); Berg v. Aetna Freight Lines, No. CIV.A. 07-1393, 2008 WL 2779294, at \*1 (W.D. Pa. July 15, 2008)